



Sen. Bill Brady

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09300HB5094sam004

LRB093 18656 RAS 50369 a

1 AMENDMENT TO HOUSE BILL 5094

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5094, AS AMENDED,  
3 with reference to page and line numbers of Senate Amendment No.  
4 1, on page 1, line 5, by replacing "3.135" with "3.135, 10,";  
5 and

6 on page 8, immediately below line 29, by inserting the  
7 following:

8 "(415 ILCS 5/10) (from Ch. 111 1/2, par. 1010)  
9 Sec. 10. Regulations.

10 (A) The Board, pursuant to procedures prescribed in Title  
11 VII of this Act, may adopt regulations to promote the purposes  
12 of this Title. Without limiting the generality of this  
13 authority, such regulations may among other things prescribe:

14 (a) Ambient air quality standards specifying the  
15 maximum permissible short-term and long-term  
16 concentrations of various contaminants in the atmosphere;

17 (b) Emission standards specifying the maximum amounts  
18 or concentrations of various contaminants that may be  
19 discharged into the atmosphere;

20 (c) Standards for the issuance of permits for  
21 construction, installation, or operation of any equipment,  
22 facility, vehicle, vessel, or aircraft capable of causing  
23 or contributing to air pollution or designed to prevent air  
24 pollution;

1 (d) Standards and conditions regarding the sale,  
2 offer, or use of any fuel, vehicle, or other article  
3 determined by the Board to constitute an air-pollution  
4 hazard;

5 (e) Alert and abatement standards relative to  
6 air-pollution episodes or emergencies constituting an  
7 acute danger to health or to the environment;

8 (f) Requirements and procedures for the inspection of  
9 any equipment, facility, vehicle, vessel, or aircraft that  
10 may cause or contribute to air pollution;

11 (g) Requirements and standards for equipment and  
12 procedures for monitoring contaminant discharges at their  
13 sources, the collection of samples and the collection,  
14 reporting and retention of data resulting from such  
15 monitoring.

16 (B) The Board shall adopt sulfur dioxide regulations and  
17 emission standards for existing fuel combustion stationary  
18 emission sources located in all areas of the State of Illinois,  
19 except the Chicago, St. Louis (Illinois) and Peoria major  
20 metropolitan areas, in accordance with the following  
21 requirements:

22 (1) Such regulations shall not be more restrictive than  
23 necessary to attain and maintain the "Primary National  
24 Ambient Air Quality Standards for Sulfur Dioxide" and  
25 within a reasonable time attain and maintain the "Secondary  
26 National Ambient Air Quality Standards for Sulfur  
27 Dioxide."

28 (2) Such regulations shall be based upon ambient air  
29 quality monitoring data insofar as possible, consistent  
30 with regulations of the United States Environmental  
31 Protection Agency. To the extent that air quality modeling  
32 techniques are used for setting standards, such techniques  
33 shall be fully described and documented in the record of  
34 the Board's rulemaking proceeding.

1           (3) Such regulations shall provide a mechanism for the  
2           establishment of emission standards applicable to a  
3           specific site as an alternative to a more restrictive  
4           general emission standard. The Board shall delegate  
5           authority to the Agency to determine such specific site  
6           emission standards, pursuant to regulations adopted by the  
7           Board.

8           (4) Such regulations and standards shall allow all  
9           available alternative air quality control methods  
10          consistent with federal law and regulations.

11          (C) The Board may not adopt any regulation banning the  
12          burning of landscape waste throughout the State generally. The  
13          Board may, by regulation, restrict or prohibit the burning of  
14          landscape waste within any geographical area of the State if it  
15          determines based on medical and biological evidence generally  
16          accepted by the scientific community that such burning will  
17          produce in the atmosphere of that geographical area  
18          contaminants in sufficient quantities and of such  
19          characteristics and duration as to be injurious to humans,  
20          plant, or animal life, or health.

21          (D) The Board shall adopt regulations requiring the owner  
22          or operator of a gasoline dispensing system that dispenses more  
23          than 10,000 gallons of gasoline per month to install and  
24          operate a system for the recovery of gasoline vapor emissions  
25          arising from the fueling of motor vehicles that meets the  
26          requirements of Section 182 of the federal Clean Air Act (42  
27          USC 7511a). These regulations shall apply only in areas of the  
28          State that are classified as moderate, serious, severe or  
29          extreme nonattainment areas for ozone pursuant to Section 181  
30          of the federal Clean Air Act (42 USC 7511), but shall not apply  
31          in such areas classified as moderate nonattainment areas for  
32          ozone if the Administrator of the U.S. Environmental Protection  
33          Agency promulgates standards for vehicle-based (onboard)  
34          systems for the control of vehicle refueling emissions pursuant

1 to Section 202(a)(6) of the federal Clean Air Act (42 USC  
2 7521(a)(6)) by November 15, 1992.

3 (E) The Board shall not adopt or enforce any regulation  
4 requiring the use of a tarpaulin or other covering on a truck,  
5 trailer, or other vehicle that is stricter than the  
6 requirements of Section 15-109.1 of the Illinois Vehicle Code.  
7 To the extent that it is in conflict with this subsection, the  
8 Board's rule codified as 35 Ill. Admin. Code, Section 212.315  
9 is hereby superseded.

10 (F) Any person who prior to June 8, 1988, has filed a  
11 timely Notice of Intent to Petition for an Adjusted RACT  
12 Emissions Limitation and who subsequently timely files a  
13 completed petition for an adjusted RACT emissions limitation  
14 pursuant to 35 Ill. Adm. Code, Part 215, Subpart I, shall be  
15 subject to the procedures contained in Subpart I but shall be  
16 excluded by operation of law from 35 Ill. Adm. Code, Part 215,  
17 Subparts PP, QQ and RR, including the applicable definitions in  
18 35 Ill. Adm. Code, Part 211. Such persons shall instead be  
19 subject to a separate regulation which the Board is hereby  
20 authorized to adopt pursuant to the adjusted RACT emissions  
21 limitation procedure in 35 Ill. Adm. Code, Part 215, Subpart I.  
22 In its final action on the petition, the Board shall create a  
23 separate rule which establishes Reasonably Available Control  
24 Technology (RACT) for such person. The purpose of this  
25 procedure is to create separate and independent regulations for  
26 purposes of SIP submittal, review, and approval by USEPA.

27 (G) Subpart FF of Subtitle B, Title 35 Ill. Adm. Code,  
28 Sections 218.720 through 218.730 and Sections 219.720 through  
29 219.730, are hereby repealed by operation of law and are  
30 rendered null and void and of no force and effect.

31 (H) Notwithstanding anything to the contrary in Title 35 of  
32 the Illinois Administrative Code, Subtitle B, Section 212.206,  
33 the limits of the federal Standards of Performance for Small  
34 Industrial-Commercial-Institutional Steam Generating Units (40

1 CFR 60, Subpart Dc) establish the emissions limits for  
2 non-hazardous air pollutants applicable to greenhouse boilers  
3 in existence prior to January 1, 2004, located in Texas  
4 Township, Dewitt County, provided that nothing in this Section  
5 alters any emission limits established pursuant to the federal  
6 Prevention of Significant Deterioration Program (40 CFR  
7 52.21).

8 (Source: P.A. 88-381; 89-79, eff. 6-30-95.)".